

of guilty. Fine, \$200. (F. D. C. No. 26711. Sample Nos. 22382-K, 22820-K, 23146-K to 23148-K, incl.)

INFORMATION FILED: July 25, 1949, Northern District of Texas, against George R. Murchison, trading as Murchison's Pharmacy, Fort Worth, Tex.

INTERSTATE SHIPMENT: From the States of Indiana and Iowa, of quantities of *seconal sodium capsules* and *amphetamine phosphate tablets*.

LABEL, WHEN SHIPPED: (Portion) "Amphetamine Phosphate 10 Mg. [or "Seconal Sodium 1½ grs.]" * * * Caution: To be dispensed only by or on the prescription of a physician."•

ALLEGED VIOLATION: On or about March 15 and 22 and October 16 and 18, 1948, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused a number of the capsules and tablets to be repacked and sold to various persons without a prescription, which acts of the defendant resulted in the capsules and tablets being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1), the repackaged drugs bore no labels containing the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (b) (2), they bore no label containing a statement of the quantity of the contents.

Further misbranding, Section 502 (d), the *seconal sodium capsules* contained a chemical derivative of barbituric acid, which derivative had been by the Administrator of the Federal Security Agency, found to be, and by regulations designated as, habit forming; and the repackaged *seconal sodium capsules* failed to bear a label containing the name and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (1), the repackaged drugs were not designated solely by names recognized in an official compendium, and, with the exception of one sale of *seconal sodium capsules*, they failed to bear labels bearing their common or usual names, "seconal sodium" and "amphetamine phosphate"; Section 502 (f) (1), the repackaged drugs failed to bear labeling containing directions for use; and, Section 502 (f) (2), the repackaged *amphetamine phosphate tablets* bore no labeling containing warnings against use in those pathological conditions and by children where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration.

DISPOSITION: October 17, 1949. A plea of guilty having been entered, the court imposed a fine of \$200.

2973. Adulteration and misbranding of Radiodine Ampuls and misbranding of Iriodine Ampuls, Tropiodin Colloidal Iodine, and Chloro-Iodine Colloidal Concentrate. U. S. v. Albert B. Trencavel and William C. McGregor (Trencavel Co.). Plea of guilty on behalf of William C. McGregor; fine, \$200 and costs. Case pending against defendant Trencavel. (F. D. C. No. 24234. Sample Nos. 1550-H, 1551-H, 38898-H, 38899-H.)

INFORMATION FILED: On or about September 27, 1948, Northern District of Illinois, against Albert B. Trencavel and William C. McGregor, trustees of the Trencavel Co., a common-law trust, Chicago, Ill.

ALLEGED SHIPMENT: On or about July 2 and October 31, 1946, from the State of Illinois into the States of Florida and Wisconsin.

PRODUCT: Examination disclosed that the *Tropiodin Colloidal Iodine* (veterinary product) was a deep-blue fluid consisting chiefly of water, starch, iodine, and

potassium iodide; that the *Chloro-Iodine Colloidal Concentrate* (veterinary product) was a syrupy, red-orange fluid consisting chiefly of glycerin, iodine, potassium iodide, potassium and sodium chlorides, and water; that the *Radiodine Ampuls* consisted essentially of iodine (0.002 gram per cc.), sodium iodide, and water, and was contaminated with undissolved material; and that the *Iriodine Ampuls* consisted essentially of iodine (0.006 gram per cc.), sodium iodide, starch, and water.

NATURE OF CHARGE: *Radiodine Ampuls.* Adulteration, Section 501 (c), the purity and quality of the article fell below that which it purported and was represented to possess since it purported and was represented to be of a purity and quality suitable and appropriate for intravenous and intramuscular injection, whereas it was not of a purity and quality suitable and appropriate for intravenous and intramuscular injection since it contained undissolved material.

Radiodine Ampuls and Iriodine Ampuls. Misbranding, Section 502 (b) (1), the boxes and ampuls containing the articles bore no labels containing the name and place of business of the manufacturer, packer, and distributor; Section 502 (b) (2), the ampuls containing the articles bore no labels containing a statement of the quantity of the contents; Section 502 (e) (2), the articles were not designated solely by a name recognized in an official compendium and were fabricated from two or more ingredients, and their labels failed to bear the common or usual name of each active ingredient; and, Section 502 (f) (1), the labeling of the articles bore no directions for use.

Tropiodin Colloidal Iodine. Misbranding, Section 502 (a), certain statements in the labeling of the article which labeling included a number of accompanying booklets entitled "Tropiodin" and blotters headed "Directions For Use of Tropiodin," were false and misleading. The statements represented and suggested that when used as directed, the article would be efficacious in the treatment of inflammatory processes, infections in general, mastitis, pneumonia, white scours, contagious abortion, sterility, and Johne's disease; that the article would be effective for off-feed conditions in animals; that it would be an effective antiseptic and bactericide for intravenous, intramuscular, and subcutaneous injections, and for the mucous membrane in general; that when used as directed, it would be effective in destroying disease-producing germs; that it would be effective in combating inflammation and in detoxifying tissues and body fluids; that it would promote toxin removal by deeply stimulating the lymphatic system; that it would be effective in reducing fever and would interfere with the progress of disease; that it would be effective as a therapeutic agent of great curative powers; that it would be efficacious in the treatment of infections in general, and diseases due to improper nutrition, feed conditions, or inflammation; that when used as directed, the article would be efficacious in the treatment of acute and chronic mastitis in cows and goats; that it would be efficacious in the treatment of pneumonia in cows and bulls, shipping fever, milk fever, white scours, sterility, toxic infections, and inflammatory and bacterial conditions; that when used as directed, the article would be efficacious in the treatment of endometritis, cervicitis, vaginitis, *Brucella abortus*, *Trichomonas* and *corynebacteria* infection, cystic degeneration of the ovaries, and pyometra; that it would be efficacious in the treatment of the various causes of abortion and sterility; that it would be efficacious in the treatment and eradication of trichomoniasis in cattle; and that it would be efficacious in the treatment of wooden tongue and timber tongue in cases of actinomycosis. The article would not fulfill the promises of benefit suggested and implied.

Chloro-Iodine Colloidal Concentrate. Misbranding, Section 502 (a), certain statements in the labeling of the article, which labeling included a number of accompanying booklets entitled "Chloro-Iodine," were false and misleading. The statements represented and suggested that the article would be effective as an internal and external remedy for better animal health; that when used as directed, the article would be efficacious in the treatment of infections associated with staphylococci, streptococci, *corynebacteria*, abortion bacilli, trichomonads, nematodes, cestodes, trematodes, and other equally virulent and destructive organisms; that when used as directed, the article would be effective as an antiseptic, germicide, and vermicide; that it would be effective as a curative agent in specific diseases; that it would increase and enhance the natural powers of producing dairy food and would ward off ailments which disastrously ravage animal flesh; that it would be effective in preventing and combating disease in livestock, in preventing contamination and blood poison setting in, and in warding off infection caused by disease germs attacking the body; that it would be effective as a sterilizing agent; that it would inhibit sepsis; that when used as directed, the article would be inimical to all pathogenic organisms that infect the animal body; that the article was a healing agent; that when used as directed, it would be effective in the treatment of mastitis, contagious abortion, sterility, and Johne's disease (paratuberculosis); that it would be effective in the eradication of disease; that it would maintain resistance to disease; that it possessed curative properties; that it would be effective as a prophylactic and healer, and as a disinfectant for inflammatory conditions, abscesses, carbuncles, skin infections of all kinds, and the mucous membrane in general; that it would be effective against all infections of the eye, and of the entire genital tract; that it would be effective as a dewormer for goats, sheep, and hogs, and as a bactericide in dysentery of animals; that it would be effective in entirely deworming animals; that it was specific in destroying the causative germs of dysentery, in eradicating the irritation and inflammation of the intestines, and in stopping diarrhea; that the article was a curative and prophylactic for warding off mastitis, milk fever, dysentery, off-feed conditions, diseases that originate from improper feeding, and bacterial and parasitic invasion; that it would be effective in controlling sterility in cows; and that it would be efficacious in the treatment of wooden tongue, timber tongue, endometritis, cervicitis, and vaginitis following *Brucella abortus* (Bang's disease), and *Trichomonas* and *Corynebacteria* infection. The article would not fulfill the promises of benefit suggested and implied.

DISPOSITION: January 17, 1949. A plea of guilty having been entered on behalf of William C. McGregor, the court imposed a fine of \$200 and costs against this defendant. Inasmuch as service of process could not be obtained on Albert B. Trencavel because of his absence from this country, no action was taken in his case and it has remained pending.

2974. Misbranding of Philcapco Testans. U. S. v. 1 Bottle * * *. (F. D. C. No. 27998. Sample No. 51850-K.)

LIBEL FILED: September 23, 1949, Northern District of Ohio.

ALLEGED SHIPMENT: On or about June 1, 1949, by Philadelphia Capsule Co., Inc., from Philadelphia, Pa.

PRODUCT: 1 440-capsule bottle of *Philcapco Testans* at Mansfield, Ohio.

LABEL, IN PART: (Bottle) "Philcapco Testans * * * Each capsule approximates 2 drachms of Fresh Testicular Beef Substance. This preparation